

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317)232-9855

FISCAL IMPACT STATEMENT

LS 6217

BILL NUMBER: HB 1079

DATE PREPARED: Feb 19, 1999

BILL AMENDED: Feb 18, 1999

SUBJECT: Election law.

FISCAL ANALYST: Beverly Holloway

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FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: Local

Summary of Legislation: (Amended) This bill makes the following changes in election law:

- (1) Provides that statutes relating to ballot card stubs do not apply to an optical scan ballot card voting system.
- (2) Amends the definition of "active voter".
- (3) Specifies that a political party office is not an office under Article 15 of the Constitution of the State of Indiana.
- (4) Provides that pollbook holders are entitled to be in the polls from the time the polls open through the time the polls close.
- (5) Includes language from federal regulations relating to the federal disclaimer law in Indiana's election disclaimer statute.
- (6) Provides that elected precinct committeemen are always eligible to participate in a caucus to fill a candidate vacancy or an office vacancy. An appointed precinct committeeman is eligible to participate in a caucus to fill a vacancy if the individual was a committeeman 30 days before the vacancy occurred. Specifies when a precinct vice committeeman is eligible to participate in a caucus to fill a vacancy.
- (7) Provides that the county executive may establish a precinct that is located within a university campus without regard to the number of registered voters permitted by law if less than 40% of the active voters entitled to vote in the precinct voted in the last primary election. (Current law allows the precinct to be established without regard to the number of voters if less than 40% voted in the last general election.)
- (8) Changes the procedures for breaking a tie vote in an election for the governing board of a school corporation in Tippecanoe County.
- (9) Permits certain towns to expand the size of the town legislative body.
- (10) Allows county election board or voter registration board members certain lodging allowances.
- (11) Contains various changes in the law regarding placement of candidates on the ballot.
- (12) Makes certain changes with respect to voter registration forms and procedures.
- (13) Makes various changes relating to absentee voting.
- (14) Makes other technical changes in election law.

Effective Date: (Amended) July 1, 1995 (retroactive); January 1, 1997 (retroactive); July 1, 1997 (retroactive); January 1, 1998 (retroactive); January 1, 1999 (retroactive); Upon passage.

Explanation of State Expenditures: (Revised) (2) - (7) and (11) - (14) Implementation of these provisions will have a minimal or no fiscal impact to the Indiana Election Commission and the Election Division, Secretary of State's Office.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) (1) Currently an optical scan ballot is required to have two attached perforated stubs. One stub is retained by the precinct election board and the second stub is to be retained by the voter. According to the Election Division, the second stub is generally not retained by the voter. The cost of the second stub is \$0.10 per ballot. This bill would reduce costs to those counties that use an optical scan ballot. It is unknown how many counties use an optical scan ballot.

(8) This bill transfers the responsibility of breaking a tie vote for the Tippecanoe County school board elections and filling a vacancy on the governing body of a school corporation from the judge of the circuit court to either the local fiscal body or the political subdivision's executive or the town's clerk-treasurer. The cost for breaking a tie vote is transferred from Tippecanoe County to a city or town within the county. It is unknown how many tie votes must be resolved. The fiscal impact of this provision can be absorbed within the existing budget of a city or town.

(9) Currently, a town that wished to expand the size of its board must hold a referendum of the voters in the town. This bill allows towns with a population greater than 10,000 to add two additional members to the town board without the public question by adopting an ordinance to do so. According to the 1990 census, nine Indiana towns have populations over 10,000. This provision should have a minimal reduction in expenditures.

(10) This bill allow county election board members certain lodging allowances equal to the lodging allowance provided to state employees. Currently, state employees are reimbursed for lodging expenses not to exceed the single occupancy room charge, including taxes. The fiscal impact of this provision is dependent on local action.

(7) and (12) The implementation of these provisions will have a minimal or no fiscal impact to a county election board and a county voter registration office.

Explanation of Local Revenues:

State Agencies Affected: Indiana Election Commission; Election Division, Secretary of State's Office.

Local Agencies Affected: Counties that use optical scan ballot; Tippecanoe County; Tippecanoe County Circuit Court; City or town within Tippecanoe County; Towns of Clarksville, Dyer, Griffith, Highland, Merrillville, Munster, Plainfield, Schererville, and Speedway; County election board; County voter registration office; County executive and county fiscal bodies; Trial courts; Local law enforcement agencies.

Information Sources: Brad King, Co-General Counsel, Election Division, Secretary of State's Office, (317) 232-3929. Brenda Jones-Matthews, Johnson County Clerk, (317) 736-3708.